

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

OAK RIVER INSURANCE COMPANY

PLAINTIFF

vs.

CIVIL ACTION NO. 3:08cv177-DPJ-JCS

**HENNESSEY, THAMES & LEAVITT INSURANCE
AGENCY, INC., et al.**

DEFENDANTS

AGREED ORDER OF DISMISSAL WITH PREJUDICE

THIS MATTER is before the Court on the joint *ore tenus* motion of Plaintiff and Defendants to dismiss, with prejudice, Plaintiff's claims against Defendants. The Court, having considered the motion, being advised that the parties have entered into a settlement agreement and release regarding Plaintiff's claims, and being otherwise fully advised in the premises, is of the opinion that the instant motion is well-taken and should be granted.

ACCORDINGLY, IT IS HEREBY ORDERED that Plaintiff's claims against Defendants are hereby DISMISSED WITH PREJUDICE, each party to bear its own costs.

SO ORDERED AND ADJUDGED this the 13th day of March, 2009.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE

AGREED AS TO SUBSTANCE AND FORM:

s/ Joseph Anthony Sclafani

Christopher A. Shapley, Esq. (MSB No. 6733)
Joseph Anthony Sclafani, Esq. (MSB No. 99670)
Brunini, Grantham, Grower & Hewes, PLLC
The Pinnacle Building, Suite 100
190 East Capitol Street (39201)
Post Office Drawer 119
Jackson, MS 39205-0119
Telephone: (601) 948-3101
Facsimile: (601) 960-6902
Counsel for Plaintiff

s/ Randall E. Day, III

Randall E. Day, III, Esq. (MSB No. 9722)
Copeland, Cook, Taylor & Bush
200 Concourse, Suite 200
1062 Highland Colony Parkway
Ridgeland, MS 39157
Post Office Box 6020
Ridgeland, MS 39158
Telephone: (601) 856-7200
Counsel for Defendants